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PATENT

**REMARKS**

With this amendment, claims 1-18 are pending.

Paragraph [0037] of the application has been amended to reflect the correct chemical structure of FC101. Support for the amendment to paragraph [0037] may be found, for example, in the specification on page 9, paragraph [0037], wherein the proper chemical name of FC101 is listed, as well as in Pathre et al., Can. J. Chem., 64: 308-311 (1986), cited in the same paragraph of the specification.

Claim 7 has been amended to further clarify the invention. Support for the amendments to claim 7 may be found in the specification, for example, in Example 5, paragraph [0047], pages 13-14.

**I. 35 U.S.C. 112, Enablement**

Reconsideration is requested of the rejection of claim 7 under 35 U.S.C. §112, on the asserted basis that "the specification, while being enabling for treating cord-like structure associated with angiogenesis, does not reasonably provide enablement for preventing (prophylactic treatment) cord-like structure associated with angiogenesis."<sup>1</sup>

Applicants have amended claim 7, replacing the term "prevention" with "inhibition", thereby obviating the enablement rejection.

**II. 35 U.S.C. 112, Indefiniteness**

Reconsideration is requested of the rejection of claim 7 under 35 U.S.C. §112, on the asserted basis that the phrase

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<sup>1</sup> Office Action mailed June 16, 2005, at page 2.

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"cord-like" renders the claim indefinite because the elements encompassed by the "like" of "cord-like" are not actually disclosed in the specification.<sup>2</sup>

Applicants have amended claim 7, removing the term "-like" from the phrase "cord-like", thereby obviating the rejection.

### III. Non-statutory Double Patenting

The asserted non-statutory double patenting rejection is noted. Without addressing the merits of the Office's rejection,

\* Applicants file herewith a Terminal Disclaimer signed by an attorney of record and submitted with the appropriate fee to obviate any obviousness-type double patenting rejection the Office believes to be proper over U.S. Patent Nos. 5,932,611 and 6,660,765, each of which, along with the present application, is commonly owned.

### IV. Claim Objections

Reconsideration is requested of the objection to claims 3, 5, 6, 8-10, 13, and 17 as being dependent on a rejected base claim.

Each of these claims depends from either claim 1, claim 11, or claim 15, each of which is subject to a non-statutory double patenting rejection. As the non-statutory double patenting rejection is obviated by Applicants' filing of a Terminal Disclaimer with this amendment, the objection to claims 3, 5, 6, 8-10, 13, and 17 is hereby rendered moot.

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<sup>2</sup> Office Action mailed June 16, 2005, at page 3.

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CONCLUSION

In view of the foregoing, Applicants respectfully request favorable reconsideration and the issuance of a Notice of Allowance.

The Commissioner is hereby authorized to charge the small entity Terminal Disclaimer fee of \$65.00 to Deposit Account No. 19-1345. A Fee Transmittal Sheet is enclosed. The Commissioner is also authorized to charge any additional fees which may be required or credit any overpayments to Deposit Account No. 19-1345.

Respectfully submitted,



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TBM/sxm  
\*Enclosures

Via Facsimile  
MAIL STOP AMENDMENT